

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONALD LITMAN et al	:	
	Plaintiffs,	:
		CIVIL ACTION NO.
		:
v.	:	22-cv-04530-RAL
		:
GEICO CASUALTY COMPANY	:	
	Defendant.	:

**ORDER**

AND NOW, this 13<sup>th</sup> day of September 2023, upon consideration of Defendant's Motion to Dismiss (Doc. No. 36), Plaintiffs' Response (Doc. No. 37), and Defendant's Reply (Doc. No. 38), it is hereby **ORDERED**, as follows:

1. Defendant's Motion to Dismiss Plaintiff's Amended Complaint is **GRANTED**;
2. Count II and Count III of Plaintiffs' Amended complaint are dismissed, without prejudice;
3. Plaintiffs' request for punitive damages related to Count I is dismissed;
4. Plaintiffs shall have until September 27, 2023, to file an amended complaint.
5. A responsive pleading or motion under Fed. R. Civ. Pro. 12(b) or (c) must be filed by October 11, 2023.
6. If Defendant files a motion to dismiss, Plaintiffs' Response will be due October 25, 2023, and Defendant's optional Reply shall be due by November 8, 2023.

**BY THE COURT:**

*s/Richard A. Lloret*  
Honorable Richard A. Lloret  
U.S. Magistrate Judge